

REMARKS

The Office Action dated March 22, 2005 has been received and carefully considered. In response, applicants respectfully submit that a Preliminary Amendment was submitted in this application on February 4, 2002. However, based on the above-identified Office Action, and discussions with the Examiner, applicants' Preliminary Amendment was lost and, therefore, was not considered. Accordingly, by this amendment, applicants submit the amendments to the claims and the specification from its Preliminary Amendment, but have marked these claims as new. In addition, applicants have added additional claims for consideration. Consideration and allowance of these claims is respectfully requested.

Applicants have canceled claims 1-9 and have replaced them with new claims 10-31. Applicants respectfully submit that claims 10-31 confirm with the rules and are in proper form. Again, consideration is respectfully requested.

Applicants, by this amendment, have also addressed several formalities in the specification of this application to put this application in better form based on patent practice in the United States. Applicants respectfully submit that these amendments do not constitute new matter. Again, since applicants' Preliminary Amendment was not considered, applicants make these amendments based on the original specification. Consideration of these amendments is respectfully requested.

The above-identified Office Action rejected some of the canceled claims in view of Wahlfeld 5,092,765. Applicants respectfully submit that Wahlfeld fails to disclose or make obvious the recited methods and devices of this application.

With respect to independent claim 10, recited is a method of maintaining a desired temperature in an already completed section of a heating flue in a coke-oven battery during the construction or repair of a non-completed portion of heating flue. The method includes the step of directing the guided gas through the desired heating flue to be repaired and providing an air reversing device which separates the completed section from the non-completed portion. Applicants respectfully submit that Wahlfeld fails to disclose or make obvious such a reversing device that separates these portions. The rejection includes reference to air passage tube 11 shown in FIG. 1 of Wahlfeld. Applicants respectfully submit that Wahlfeld's tube is not a reversing device wherein it allows air passage from the completed section to the non-completed portion and does

not reverse the flow of air as is recited in claim 10. As the arrows show in FIG. 1 of Wahlfeld, the flow of air continues from below the plate (Ref # 10) through the pipe (Ref # 11) to above the plate. Wahlfeld fails to disclose or make obvious a reversing device that separates the completed section from non-completed portion. With Wahlfeld device, the air flows through both portions. Accordingly, applicants respectfully submit that Wahlfeld fails to disclose or make obvious the recited method.

Lagemann fails to overcome the shortcomings in Wahlfeld. In this respect, Lagemann also fails to disclose or make obvious the recited reversing device which separates the completed section in the oven from the non-completed portion in the oven. As with Wahlfeld, Lagemann merely discloses a method of using pipes to direct the flow of gas from one chamber to the next. The cited references fail to disclose or make obvious separating the completed section and non-completed portion with the recited reversing device that prevents flow from the completed section to the non-completed portion in that it separates these zones and reverses the flow.

Applicants respectfully submit that claims 11-19 are dependent from claim 10 and patentably distinguish the cited references for at least the same reasons.

Claim 20 patentably distinguishes the cited references by reciting an air reversing device that includes at least one air passage tube and a cover plate which separate the completed section from the non-completed portion. As is stated above, the cited references fail to disclose or make obvious the recited reversing device that separates the completed section from the non-completed portion. Claim 20 further patentably distinguishes the cited references by reciting the at least one air passage, of the separating device, directing heating gases from one heating flue to another heating flue. Wahlfeld and Lagemann alone and in combination fail to disclose or make obvious such a reversing device. In fact, neither Wahlfeld nor Lagemann disclose a device that reverses the flow. Conversely, the cited references at most disclose the use of piping to direct a gas flow. Accordingly, applicants respectfully submit that the cited reference fails to disclose or make obvious claim 20 whereby consideration and allowance is respectfully requested.

Applicants respectfully submit that claims 21-23 are dependent from claim 20 and patentably distinguish the cited references for at least the same reasons.

Claim 24 patentably distinguishes the cited references by reciting an air reversing device for maintaining a desired temperature in an already completed section of a heating flue in a coke-oven battery during the construction or repair of a non-completed

portion of the heating flue wherein the already completed section has a plurality of flues and the reversing device includes an air passage tube having an inlet in fluid communication with a first flue and an outlet in fluid communication with a second flue of the plurality of flues; and a cover plate which along with said tube separates the completed section from the non-completed portion. Claim 24 further patentably distinguishes the cited references by reciting a tube which directs the heating gases from the first flue to the second flue. Wahlfeld and Lagemann alone and in combination fail to disclose or make obvious such a reversing device. Accordingly, applicants respectfully submit that the cited reference fail to disclose or make obvious claim 24 whereby reconsideration and allowance is respectfully requested.

Applicants respectfully submit that claims 25-27 are dependent from claim 24 and patentably distinguish the cited references for at least the same reasons.

Claim 28 patentably distinguishes from the cited references by reciting a method for hot repair of coke oven battery heating flues operated in pairs or groups, wherein the completed bricked part of the heating flue is separated by an air reversal device from that part of the heating flue which is still to be bricked up. As discussed above, Wahlfeld and Lagemann alone and in combination fail to disclose or make obvious such a reversing device. Accordingly, applicants respectfully submit that the cited reference fails to disclose or make obvious claim 28 whereby reconsideration and allowance is respectfully requested.

Applicants respectfully submit that claims 29-31 are dependent from claim 28 and patentably distinguish the cited references for at least the same reasons.

Applicants respectfully submit that this amendment addresses the rejections raised in the above-identified Office Action. Claims 1-9 have been canceled and replaced by claims 10-31 wherein claims 10-31 are in proper format based on practice in the United States. Applicants respectfully submit that claims 10-27 patentably distinguish the cited reference and are in allowable form. Further, applicants have also

added new claims 28-31 which follow the claims allowed in the corresponding European application. Accordingly, consideration and allowance of claims 10-31 is respectfully requested.

Respectfully submitted,

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7/26/05
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